

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ROCK HILL DIVISION**

Ricky Roderick Price,

Plaintiff,

vs.

City of Rock Hill, Johnathan Moreno and
John Does 1-15 of the Rock Hill City Police
Department

Defendants.

C/A NO.: 0:24-cv-03673-MGL-SVH

AMENDED COMPLAINT
(JURY TRIAL REQUESTED)

The Plaintiff, Ricky Roderick Price, complaining of Defendants Johnathan Moreno and John Does 1-5 of the Rock Hill City Police Department alleges and states as follows:

PARTIES

1. Ricky Roderick Price (“Plaintiff”) is a citizen and resident of Rock Hill, York County, State of South Carolina.
2. Defendant City of Rock Hill (“City”) is a governmental agency/entity existing under the laws of the State of South Carolina. At all times hereinafter mentioned in this lawsuit, the Defendant City acted and carried on its business by and through its agents, servants, and/or employees. These agents, servants, and/or employees were operating within the scope of their officially assigned and/or compensated duties.
3. Defendant Johnathan Moreno was at all times relevant acting under the color of state law and in the course and scope of his official duties as an officer for the Rock Hill City Police Department. Officer Moreno is sued in his individual capacity

under 42 U.S.C. § 1983, and the Fourteenth Amendment to the United States Constitution for compensatory and punitive damages under federal law.

4. The Defendants John and Jane Does 1-5 were at all times relevant acting under the color of state law and in the course and scope of their duties as officers for the Rock Hill City Police Department. Their identities are presently unknown. These Defendants are sued in their individual capacity for compensatory and punitive damages under federal law.

JURISDICTION AND VENUE

5. This is an action for money damages brought pursuant to 42 U.S.C. § 1983, et, seq. and the Fourth and Fourteenth Amendments to the United States Constitution and under the common law and statutory law of the United States.
6. Subject matter jurisdiction is conferred upon the Court by 28 U.S.C. §§ 1331, 1343, as Plaintiff asserts causes of pursuant to 42 U.S.C. § 1983.
7. The events giving rise to this claim occurred in York County, South Carolina, therefore, venue is proper in the District of South Carolina (Rock Hill Division) pursuant to 28 U.S.C. § 1391.

DEMAND FOR JURY TRIAL

8. The Plaintiff demands a jury trial for all claims and issues asserted in this action.

FACTS

9. Upon information and belief, the subject incident occurred on or about June 23, 2021, during an unlawful traffic stop in York County, State of South Carolina.

10. During such traffic stop, Plaintiff was pulled over by Rock Hill City Police Officers, unlawfully and without probable cause. Rock Hill City Police Officers pulled Plaintiff over for prior interactions with the officers.
11. The Officers prolonged the stop unconstitutionally to allow the police dog canines to arrive at the scene.
12. Despite complying with the officer's instructions, and without provocation, Officer Johnathan Moreno aggressively demanded Plaintiff exit his vehicle and then repeatedly struck Plaintiff in the face causing severe injuries including a broken nose and multiple contusions. Further, Rock Hill City Police Officers released the canine police dog that viciously attacked Plaintiff, inflicting additional injuries.
13. Plaintiff's brother arrives at the scene and upon doing so the officers assault Plaintiff's brother and the Plaintiff is forced to watch his brother be brutally attacked by Officer Moreno.
14. Despite Plaintiff's obvious need for medical attention, he was denied immediate medical care and instead was transported to the Rock Hill Police station, where he was detained for several hours before being given medical treatment.
15. Plaintiff was arrested and incarcerated for over 4 months until eventually the charges were dismissed against him.
16. Defendants at all times relevant were operating within the scope of their officially assigned and/or compensated duties under the color of law and owed Plaintiff a duty of care to act reasonably and to avoid causing unnecessary harm to Plaintiff.
17. As a result of Defendants' cruel, unusual and deliberately indifferent acts, Plaintiff suffered mental and physical harm, and further damages to include and not be

limited to mental anguish, pain and loss of enjoyment of life, violating Plaintiff's U.S. Constitutional rights under the Fourth and Fourteenth Amendments.

FOR A FIRST CAUSE OF ACTION AGAINST ALL DEFENDANTS
(Malicious Prosecution and Violation of Federal Civil Rights U.S.C. § 1983;
Violation of the Fourth and Fourteenth Amendments)

18. The Plaintiff reasserts and realleges each and every allegation set forth above, and restated verbatim.
19. On or about June 23, 2021, Defendants Johnathan Moreno and John Does 1-5 were agents and/or servants of the Rock Hill City Police Department, acting under the color of law and pursuant to law enforcement duties.
20. In an effort to cover up Defendants' unconstitutional actions, law enforcement began a smear campaign including enlisting congressman Ralph Norman to disparage Plaintiff.
21. Due to his actions during this arrest, Officer Moreno would be fired and charged with criminal assault.
22. Nonetheless, Defendants initiated and continued a prosecution against Plaintiff where no probable cause existed for the prosecution.
23. On or about December of 2023, this prosecution was dismissed without ever being brought to trial.
21. As a direct and proximate result of Defendants' violation of Plaintiff's constitutional rights, plaintiff has suffered severe physical and mental injury and other damages as described herein.

22. Plaintiff is owed all economic damages and non-economic damages allowable under law. Plaintiff demands actual, consequential and punitive damages from all Defendants, as provided by U.S. Law.

WHEREFORE, Plaintiff Ricky Roderick Price prays for judgment against all Defendants for actual, punitive damages, attorney fees and consequential damages, for the cost of this action and for such other relief as the Court may deem just and proper.

s/Monier Abusaft
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